

AMENDED IN ASSEMBLY MARCH 13, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 225

Introduced by Assembly Member Frommer

January 29, 2003

An act to ~~add Section 17280.7 to~~ amend Section 17072.12 of, and to add Section 17280.7 to, the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 225, as amended, Frommer. School facilities: ~~retrofit~~.

Existing

(1) *The existing Leroy F. Greene School Facilities Act of 1998 requires the State Allocation Board to allocate to applicant school districts funding for new construction of school facilities, including funding for site development and acquisition. Existing law also authorizes the board to provide funding for assistance in site development and acquisition to a school district that uses land previously acquired by the district if certain conditions are met, including that the site has been productively used by the district as other than a schoolsite for the 5 years immediately preceding the date the application is submitted.*

This bill would authorize the board to provide that funding if the site has been productively used by the school for the 5 years immediately preceding the date the application is submitted, regardless of whether the use was for a schoolsite or for other than a schoolsite.

(2) Existing law, the Field Act, required the Seismic Safety Commission to convene an advisory committee by August 19, 2002, to

study and report on whether a regulatory process may be developed that will allow the State Architect to determine whether a building not originally constructed in compliance with the Field Act either meets or can be retrofitted to meet the equivalent pupil safety performance standards as a building constructed according to the Field Act. Existing law required the commission by January 8, 2003, after reviewing the advisory committee's findings, to make a determination as to whether the regulatory process may be developed, and if so, requires the State Architect to draft regulations to establish that regulatory process.

This bill would also require the State Architect, in consultation with the School Facilities Planning Division of the State Department of Education, to develop guidelines to assist a public school district and design professional in their evaluation of a commercial building for potential lease if the building was not originally constructed in compliance with the Field Act to determine whether the building may be retrofitted to meet the equivalent pupil safety performance standards as a building constructed in compliance with the Field Act.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. *Section 17072.12 of the Education Code is*
2 *amended to read:*

3 17072.12. (a) In addition to the amount provided in Section
4 17072.10, the board may provide funding for assistance in site
5 development and acquisition if all of the following are met:

6 (1) The amount of the site acquisition and development
7 assistance does not exceed 50 percent of the cost of site
8 development to the school district, plus the lesser of the following:

9 (A) ~~50~~ *Fifty* percent of the site cost to the school district.

10 (B) ~~50~~ *Fifty* percent of the appraised value of the site within six
11 months of the time the complete application is submitted.

12 (2) The school district certifies that there is no alternative
13 available site, or that the district plans to sell an available site in
14 order to use the proceeds of the sale for the purchase of the new
15 site.

16 (b) Notwithstanding subdivision (a), the board may provide
17 funding for assistance in site development and acquisition to a
18 school district that uses land previously acquired by the school



1 district in an amount equal to 50 percent of the cost of site
2 development to the school district, plus 50 percent of the site's
3 appraised value at the time the application for site acquisition and
4 development is submitted, provided all of the following are met:

5 (1) The site was acquired no less than five years prior to the date
6 the application is submitted.

7 (2) The site had been productively used by the school district
8 ~~as other than a schoolsite~~ for the five years immediately preceding
9 the date the application is submitted.

10 (3) The board determines that the ~~nonschool~~ function currently
11 taking place on the site must be discontinued or relocated in order
12 to utilize the site as a *new* schoolsite.

13 (c) A school district that receives assistance pursuant to
14 subdivision (b) shall, within one year after the completion of the
15 project, certify in writing to the board that the ~~nonschool~~ *previous*
16 *function taking place on the site* was in fact relocated *or*
17 *discontinued* as set forth in paragraph ~~(4)~~ (3) of subdivision (b).

18 (d) Pursuant to subdivision (b), an applicant school district
19 shall include in its application to the board a cost-benefit analysis
20 performed by the school district demonstrating how utilizing
21 existing ~~nonschoolsite~~ district property pursuant to this section
22 would be a more effective method of solving the school district's
23 pupil housing problems than any other method of funding under
24 this chapter. The board shall review and approve the analysis if the
25 board agrees with the findings and shall consider the analysis and
26 findings in approving the project pursuant to this section.

27 SEC. 2. Section 17280.7 is added to the Education Code, to
28 read:

29 17280.7. The State Architect, in consultation with the School
30 Facilities Planning Division of the State Department of Education,
31 shall develop guidelines to assist a public school district and design
32 professional in their evaluation of a commercial building for
33 potential lease if the building was not originally constructed in
34 compliance with the Field Act to determine whether the building
35 may be retrofitted to meet the equivalent pupil safety performance
36 standards as a building constructed in compliance with ~~to~~ the Field
37 Act.